

Feb-26-1980

FILE: Minutes File

DESCRIPTION:

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 26, 1980
AT 8:30 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Wilson at 8:41 a.m. A recess was called by Mayor Wilson at 9:06 a.m. to meet as the Housing Authority. Mayor Wilson reconvened the meeting at 10:16 a.m. with Councilmember Schnaubelt not present. A recess was called by Mayor Wilson at 10:18 a.m. Mayor Wilson reconvened the meeting at 10:49 a.m. A recess was called by Mayor Wilson at 12:02 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor Wilson at 2:22 p.m. with Councilmember Williams not present. A recess was called by Mayor Wilson at 2:57 p.m. Mayor Wilson reconvened the meeting at 3:17 p.m. Mayor Wilson adjourned the meeting at 5:37 p.m. to the hour of 9:30 a.m., February 27, 1980, in the Council Chambers, City Administration Building, 202 "C" Street, to consider Items 334, 336, 337, S500, and S501.

ATTENDANCE DURING THE MEETING:

(M) Mayor Wilson-present. (1) Councilmember Mitchell-present. (2) Councilmember Cleator-present. (3) Councilmember Lowery-present. (4) Councilmember Williams-present. (5) Councilmember Schnaubelt-not present. (6) Councilmember Gotch-present. (7) Councilmember Stirling-present. (8) Councilmember Killea-present.
Clerk-Abdelnour (kb,ra)

Feb-26-1980 ITEM-300:

FILE: Minutes File

DESCRIPTION:

Clerk Abdelnour called the roll: Mayor Wilson-present. Councilmember Mitchell-present. Councilmember Cleator-present. Councilmember Lowery-not present.

Councilmember Williams-present. Councilmember Schnaubelt-not present.

Councilmember Gotch-present. Councilmember Stirling-not present. Councilmember Killea-present.

Feb-26-1980 ITEM-310:

FILE: MEET

DESCRIPTION:

Two Resolutions authorizing SUGGESTION AWARDS and making a presentation to the following employees:

Subitem-A: (R-80-1410)

WILLIAM SCHEMPERS, JR.- Engineering & Development Department, GEORGE HILTON - Engineering & Development Department, and LESTER PETERSON - General Services Department - \$1000;

ALGER L. THOMPSON - Park and Recreation Department - \$1000;

LOUIS DENOVI - General Services Department - \$575; and

HARRY F. HAAS - Police Department - \$500; and

Subitem-B: (R-80-1411)

ELDON D. SMITH - Police Department - \$290;

NICHOLAS E. HALUSKEY - Building Inspection Department - \$150;

VINCENT DeLEVA - General Services Department - \$110; and

JAMES E. FOLEY - Engineering & Development Department - \$100.

COUNCIL ACTION: (Tape location: a002-022).

Subitem-A adopted as Resolution R-251276.

Subitem-B adopted as Resolution R-251277.

MOTION BY WILLIAMS TO ADOPT. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Feb-26-1980 ITEM-311:

FILE: MEET

DESCRIPTION:

(R-80-1412) Authorizing SUGGESTION AWARDS to the following employees:

JOHN R. FOWLER - General Services Department - \$20;

DAVID A. YTREUS - Fire Department - \$20;

DAVID R. WARFIELD - Fire Department - \$10;

DENNIS M. GRADY - Personnel Department - \$10; and

WALTER J. BORDEN - Property Department - \$10.

COUNCIL ACTION: (Tape location: a002-022).

Adopted as Resolution R-251278.

MOTION BY WILLIAMS TO ADOPT. Second by Stirling. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

Feb-26-1980 ITEM-312:

FILE: Minutes File

DESCRIPTION:

Welcome to New Employees.

COUNCIL ACTION: (Tape location: a023-025).

Welcomed.

Feb-26-1980 ITEM-330:

FILE: ZONE

DESCRIPTION:

Matter of REZONING LOT 47, BLOCK 2, J. R. SPENCER'S SUBDIVISION, MAP-618 (approximately 3,750 square feet), located on the south side of Oceanview Boulevard between Bancroft Street and 33rd Street, in the Southeast San Diego Community Plan area, from ZONE R-2 to ZONE R-2A. (DISTRICT-4) (CASE-2-79-2)

Subitem-A: (R-80-1297)

Adoption of a RESOLUTION certifying that the information contained in ENVIRONMENTAL NEGATIVE DECLARATION END-78-08-11 and the FIRST AMENDMENT,

thereto, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration and amendment, thereto, have been reviewed and considered by the Council; and

Subitem-B: (O-80-221)

INTRODUCTION of an ORDINANCE for R-2A Zoning.

COUNCIL ACTION: (Tape location: a158-165).

Subitem-A adopted as Resolution R-251279.

Subitem-B introduced, to be adopted March 10, 1980.

Hearing began at 11:49 a.m. Hearing halted at 11:56 p.m.

Testimony by Pedro Ceaser.

MOTION BY WILLIAMS TO CLOSE THE HEARING, ADOPT (a), AND INTRODUCE (b) FOR R-2A

ZONING. Second by Cleator. Passed by the following vote: Mitchell-yea.

Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea.

Stirling-yea. Killea-yea. Mayor Wilson-yea.

Mayor Wilson stated that someone from Councilmember Williams' office would contact Mr. Pedro Ceasar, 603 So. Bancroft Street, San Diego, CA 92113, Phone No. 239-3590, and try to resolve the problem of people littering and entering his lot. Mayor Wilson further directed the City Manager to instruct someone from the Police Department to work with Mr. Ceasar in solving the problem.

Feb-26-1980 ITEM-331:

FILE: ZONE

DESCRIPTION:

Matter of REZONING portions of LOTS 1037 and 1036, BAY TERRACES UNIT NO. 15, MAP-7765; LOTS 1040 through 1046, BAY TERRACES UNIT NO. 16, MAP-7766 and a portion of QUARTER SECTION of LOT 51, RANCHO DE LA NACION, MAP-166 (approximately 30 acres), located on the east side of Briarwood Road between Paradise Valley Road and Ocarina Street, in the South Bay Terraces Community Plan area, from ZONE R-2A (portion in HR) to ZONE R-1-5. (DISTRICT-4) (CASE-32-79-4)

Subitem-A: (R-80-1295)

Adoption of a RESOLUTION certifying that the information contained in SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT EIR-76-09-49S6 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said supplemental report has been reviewed and considered by the Council;

Subitem-B: (O-80-219)

INTRODUCTION of an ORDINANCE for R-1-5 Zoning; and

Subitem-C: (R-80-)

Adoption of a RESOLUTION containing the findings of mitigation, feasibility or project alternatives pursuant to California Public Resources Code Section 21081 in connection with SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT EIR-76-09-49S6.

COUNCIL ACTION: (Tape location: a165-168).

Subitem-A adopted as Resolution R-251280.

Subitem-B introduced, to be adopted March 10, 1980.

Subitem-C adopted as Resolution R-251281.

Hearing began at 11:56 a.m. Hearing halted at 11:58 a.m.

MOTION BY WILLIAMS TO CLOSE THE HEARING, ADOPT (a) AND (c), AND INTRODUCE (b)

FOR R-1-5 ZONING. Second by Cleator. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Feb-26-1980 ITEM-332:

FILE: ZONE

DESCRIPTION:

Matter of REZONING a portion of QUARTER SECTION 53, RANCHO DE LA NACION,

MAP-166 (approximately 3.5 acres), located north of Paradise Valley Road and eas
of the proposed northerly extension of Woodman Street, in the South Bay
Terraces Community Plan area, from ZONE R-1-40 (portion in HR) to ZONE R-1-5.
(DISTRICT-4) (CASE-32-79-7)

Subitem-A: (R-80-1296)

Adoption of a RESOLUTION certifying that the information contained in
SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT EIR-76-09-49S9 has been
completed in
compliance with the California Environmental Quality Act of 1970 and State
guidelines, and that said supplemental report has been reviewed and considered
by the Council;

Subitem-B: (O-80-220)

INTRODUCTION of an ORDINANCE for R-1-5 Zoning; and

Subitem-C: (R-80-)

Adoption of a RESOLUTION containing the findings of mitigation, feasibility or
project alternatives pursuant to California Public Resources Code Section
21081 in connection with SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT
EIR-76-09-49S9.

COUNCIL ACTION: (Tape location: a165-168).

Subitem-A adopted as Resolution R-251282.

Subitem-B introduced, to be adopted March 10, 1980.

Subitem-C adopted as Resolution R-251283.

Hearing began at 11:56 a.m. Hearing halted at 11:58 a.m.

MOTION BY WILLIAMS TO CLOSE THE HEARING, ADOPT (a) AND (c), AND
INTRODUCE (b)

FOR R-1-5 ZONING. Second by Cleator. Passed by the following vote:
Mitchell-yea. Cleator-yea. Lowery-yea. Williams-yea. Schnaubelt-not
present. Gotch-yea. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Feb-26-1980 ITEM-335:

FILE: STRT

DESCRIPTION:

Two Resolutions relative to PAVING and otherwise improving the ALLEY in BLOCK
29, NORMAL HEIGHTS, on Resolution of Intention No. R-250670. (1911 Street
Improvement Act.)

Subitem-A: (R-80-)

Adoption of a RESOLUTION OF FEASIBILITY; and

Subitem-B: (R-80-807)

Adoption of a RESOLUTION ORDERING WORK and directing NOTICE INVITING BIDS.

(North Park Community Area. DISTRICT-3.)

COUNCIL ACTION: (Tape location: b163-173).

Subitem-A adopted as Resolution R-251286.

Subitem-B adopted as Resolution R-251287.

Hearing began at 4:45 p.m. Hearing halted at 4:55 p.m.

Testimony by Mr. Robinson and Mr. Luthard.

MOTION BY LOWERY TO ADOPT WITH CONDITION FOR STAFF TO INVESTIGATE MR.

LUTHARD'S ELIGIBILITY FOR DEFERRAL AS A LOW INCOME ASSESSEE. Second by Killea. Passed by the following vote: Mitchell-yea. Cleator-not present.

Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-not present. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Feb-26-1980 ITEM-336:

FILE:

SUBD Loftus Condominiums

DESCRIPTION:

APPEAL of OCEAN BEACH PLANNING BOARD, by Robert Burns, from the decision of the PLANNING COMMISSION APPROVING CONDOMINIUM CONVERSION PERMIT NO. 49 and

TENTATIVE SUBDIVISION MAP-79-512 which proposes the conversion of existing apartment units (LOFTUS CONDOMINIUMS) to condominiums. The subject property is located on the south side of Niagara Avenue between Bacon Street and Ocean Boulevard in the C ZONE, within the boundaries of the Ocean Beach Community Plan (Peninsula) and is more particularly described as LOTS 43 through 45, BLOCK 71, OCEAN BEACH, MAP-279. (DISTRICT-6) (CCP-49) (T.M. 79-512)

Subitem-A: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the permit, or denying the appeal and granting the permit with appropriate findings to support Council action; and

Subitem-B: (R-80-)

Adoption of a RESOLUTION granting the appeal and denying the tentative map or denying the appeal and granting the tentative map with appropriate findings to support Council action.

COUNCIL ACTION:

(Tape location: B181).

Subitem-A trailed to February 27, 1980.

Subitem-B trailed to February 27, 1980.

Feb-26-1980 ITEM-UC-1:

FILE: MEET

DESCRIPTION:

(R-80-1555) A Resolution presented to the City Council with UNANIMOUS CONSENT:
Authorizing the use of City forces for storm drain repair.

COUNCIL ACTION: (Tape location: b176-178).

Adopted as Resolution R-251288.

MOTION BY LOWERY TO ADOPT. Second by Mitchell. Passed by the following vote:

Mitchell-yea. Cleator-not present. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Stirling-yea. present. Killea-yea.

Mayor

Wilson-yea.

Feb-26-1980 ITEM-UC-2:

FILE: MEET

DESCRIPTION:

(R-80-0000) A Resolution presented to the City Council with UNANIMOUS CONSENT:
Excusing Mayor Wilson from Committee and Council meetings of February 25,
1980.

COUNCIL ACTION: (Tape location: b179-180).

Adopted as Resolution R-251289.

MOTION BY MITCHELL TO ADOPT. Second by Lowery. Passed by the following vote:

Mitchell-yea. Cleator-not present. Lowery-yea. Williams-yea.

Schnaubelt-yea. Gotch-not present. Stirling-not present. Killea-yea. Mayor

Wilson-yea.

Feb-26-1980 ITEM-NOTE-1:

FILE: MEET

DESCRIPTION:

Welcome thirty students from Lewis Jr. High School accompanied by Jack Dray.
(District 7th)

COUNCIL ACTION: (Tape location: a096-097).

Welcomed.

Feb-26-1980 ADJOURNMENT:

FILE: Minutes File

COUNCIL ACTION:

Motion by Mitchell to adjourn to the hour of 9:30 a.m., Wednesday, February 27, 1980. Second by Lowery. Passed by the following vote: Mitchell-yea. Cleator-not present. Lowery-yea. Williams-yea. Schnaubelt-yea. Gotch-not present. Stirling-not present. Killea-yea. Mayor Wilson-yea.

Feb-26-1980

ITEM-333:

DESCRIPTION:

(O-80-110) (Rev.) GRANTING a FRANCHISE to AMERICAN TELEVISION AND COMMUNICATIONS CORPORATION (dba SOUTHWESTERN CABLE CO.) for the nonexclusive

right, privilege and FRANCHISE to lay and use lines, wires, coaxial cable and appurtenances for transmitting, distributing and supplying radio and cable television service along, across and upon the public streets, ways, alleys and places within certain areas of San Diego. Said FRANCHISE will replace five (5) existing FRANCHISES and establish a new term. Pursuant to Section 103 of the Charter of The City of San Diego an opportunity shall be afforded any individual to appear in support or opposition.

Today's action is INTRODUCTION of an ORDINANCE granting the franchise.

(Six votes required.)

COMMITTEE ACTION:

Reviewed by TRANSPORTATION AND LAND USE COMMITTEE (TLU) on 10/10/79.

Recommendation to INTRODUCE the Ordinance. Districts 3, 4, 7 and 8 voted yea.

District 5 not present. This item was a noticed public hearing on the Council Docket of 12/4/79 and was referred back to Committee to address two primary points: public access provisions and expansion of service. The revised ordinance, which incorporates the definition of "Dwelling Unit" as contained in City Manager Report CMR-80-9, was initiated by the TRANSPORTATION AND LAND USE COMMITTEE on 1/9/80. Recommendation to Introduce the Ordinance.

Districts 2, 4 and 8 voted yea. Districts 5 and 6 not present.

FILE LOCATION: Fran - American Television & Communications Corp.

COUNCIL ACTION: (Tape location: a168-170).

Introduced, to be adopted March 10, 1980.

Hearing began at 11:58 a.m. Hearing halted at 12:01 p.m.

MOTION BY WILLIAMS TO CLOSE THE HEARING AND INTRODUCE. Second by Lowery.

Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-yea.

Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-not present.

Killea-yea. Mayor Wilson-yea.

Feb-26-1980 ITEM-S400:

FILE: MEET

DESCRIPTION:

(R-80-1505) Authorizing the CITY MANAGER to file a GRANT APPLICATION for \$225,000 with the Heritage Conservation and Recreation Service, United States Department of the Interior, Urban Park and Recreation Recovery Program to develop a linear park within the Gaslamp Quarter Historic District. (Centre City Community Area. DISTRICT-8.)

COMMITTEE ACTION:

Initiated by PUBLIC FACILITIES AND RECREATION COMMITTEE (PFR) on 2/7/80. Recommendation to ADOPT the Resolution. Districts 1, 6 and 8 voted yea. Districts 2 and 7 not present.

NOTE: See City Manager Report CMR-80-68.

COUNCIL ACTION: (Tape location: a099-102).

Adopted as Resolution R-251284.

MOTION BY KILLEA TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea. Cleator-yea. Lowery-not present. Williams-yea. Schnaubelt-not present. Gotch-yea. Stirling-yea. Killea-yea. Mayor Wilson-yea.

ITEM-100:

Subitem-A: (R-80-1125)

Awarding a contract to Bekins Building Maintenance Co. for furnishing CUSTODIAL AND MAINTENANCE SERVICE OF SAN DIEGO STADIUM as may be required for a period of one year ending December 31, 1980, for an estimated cost of \$275,000, with options to renew for two additional one year periods.

CITY COUNCIL ACTION: (Tape location: b174-175).

MOTION BY LOWERY TO ADOPT. Second by Mitchell. Passed by the following vote: Mitchell-yea, Cleator-not present, Lowery-yea, Williams-yea, Schnaubelt- yea, Gotch-not present, Stirling-not present, Killea-yea, Mayor Wilson-yea.